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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL FORM (37 C.F.R. § 1.114)**

DOCKET NO. <b>13101/48901</b>	APPLICATION SERIAL NO. <b>09/978,274</b>	EXAMINER <b>Ibrahim, Medina Ahmed</b>	ART UNIT <b>1638</b>
INVENTOR(S): <b>Christopher John Robert THOMAS, et al.</b>			CONFIRMATION NO. <b>4439</b>

Address to:

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: 5/16/07

Signature: [Signature]

This is a **request for continued examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. **09/978,274** filed on **October 21, 2001** entitled **USES OF NUCLEIC ACIDS ENCODING POKEWEED ANTIVIRAL PROTEIN.** The following constitutes the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

  X   Rule 116 Amendment (previously mailed on September 13, 2006 and filed on September 21, 2006)

       Information Disclosure Statement

       Drawing Changes

       Other Submission: \_\_\_\_\_

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached Amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						790.00
TOTAL CLAIMS	23	20	23	0	50.00	0.00
INDEPENDENT CLAIMS	12	3	12	0	200.00	0.00
MULTIPLE DEPENDENT CLAIM					360.00	
				Number extra must be paid larger	TOTAL	790.00
				05/22/2007 01 FC:1801 02 FC:1255	05/22/2007 01 FC:1801 02 FC:1255	00000020 116600 09976274 790.00 DA 2160.00 DA
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 SMALL ENTITY and 1.27, then divide total fee by 2, and enter amount here. TOTAL					

2. Since the present RCE is being submitted within the period for filing an appeal brief, and after filing of the Notice of Appeal but prior to the decision on appeal, as per MPEP 706.07(h)(X), the prosecution should be reopened.
3. Applicants respectfully request a five-month extension of time to extend the period (set by the Notice of Appeal mailed on October 11, 2006 and filed on October 16, 2006) from December 16, 2006 to May 16, 2007. The Commissioner is hereby authorized to charge the payment of the 37 C.F.R. § 1.136 (a) extension of time fee of **\$2,160.00** to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600
4. Please charge the required RCE and submission filing fee of **\$790.00** to the deposit account of Kenyon & Kenyon LLP, deposit account number **11-0600**.
5. The Commissioner is authorized to charge to Kenyon & Kenyon LLP Deposit Account No. **11-0600**, any additional fees or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. **11-0600**.
6. A duplicate of this transmittal form is enclosed.

Respectfully submitted,  
KENYON & KENYON LLP

Dated: May 16, 2007

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**CUSTOMER NO. 26646**